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Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories

Applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, to the Occupied Palestinian Territory, including East Jerusalem, and the other occupied Arab territories

Report of the Secretary-General**

1 The present report is submitted pursuant to General Assembly resolution 58/97 of 9 December 2003, the operative part of which reads as follows:

> "*The General Assembly*,
>
> "...
>
> "1. *Reaffirms* that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, is applicable to the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967;
>
> "2. *Demands* that Israel accept the de jure applicability of the Convention in the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967, and that it comply scrupulously with the provisions of the Convention;
>
> "3. *Calls upon* all High Contracting Parties to the Convention, in accordance with article 1 common to the four Geneva Conventions, to continue to exert all efforts to ensure respect for its provisions by Israel, the occupying Power, in the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967;

* A/59/150.
** The present document was submitted after the deadline established by the General Assembly so as to give the Government concerned the maximum possible time to submit its comments.

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"4. *Reiterates* the need for speedy implementation of the relevant recommendations contained in its resolutions of the tenth emergency special session with regard to ensuring respect by Israel, the occupying Power, for the provisions of the Convention;

"5. *Requests* the Secretary-General to report to the General Assembly at its fifty-ninth session on the implementation of the present resolution."

2. On 6 August 2004, the Secretary-General addressed a note verbale to the Government of the State of Israel, in which he requested, in view of his reporting responsibilities under the resolution, that the Government of Israel informs him of any steps the Government had taken or envisaged taking concerning the implementation of the relevant provisions of the resolution.

3. No reply had been received at the time of the preparation of the present report.

4. By a note verbale dated 6 August 2004, the Secretary-General also drew the attention of all States parties to the Convention to paragraph 3 of General Assembly resolution 58/97 and paragraph 6 of Assembly resolution 58/100 of 9 December 2003.